

Message

From: Palmer, Leif [Palmer.Leif@epa.gov]
Sent: 10/15/2020 11:11:11 PM
To: Hicks, Matt [Hicks.Matthew@epa.gov]; Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]
CC: Ghosh, Mita [Ghosh.Mita@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]
Subject: RE: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Thanks. I'll look this over and, assuming I don't have any questions, respond to David's email the attached and a summary of the changes made in coordination with OGC to all of the addressees. I'll forward Tod's email separately to David, Steve and Tod's manager (Andy Simons).

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, October 15, 2020 6:22 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>
Subject: FW: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Leif and Jeaneanne,

Here's a revised version of the draft PA which accepts David's edits and addresses his one question in Section II(a). This version reflects Simma's and Tod's review and input. In addition to addressing David's question and edits, it also

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 AC/DP

Thanks,

Matt

From: Siegal, Tod <Siegal.Tod@epa.gov>
Sent: Thursday, October 15, 2020 12:02 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

I took a look at David's comments. They seem okay to me.

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Ex. 5 AC/DP

Thanks.

Tod Siegal
U.S. EPA, Office of General Counsel
Cross-Cutting Issues Law Office
202-564-5552

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, October 15, 2020 11:53 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>
Subject: FW: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Simma and Tod,

See attached David's comments on the draft PA and a revised version I developed this morning which accepts all of his edits and addresses his one question in Section II(a) and corrects a minor typo at the bottom of page two/top of page three.

Please let me know if you are okay with the revised version and I will send it to Leif and Jeaneanne for their review and pass back.

Thanks,

Matt

From: Palmer, Leif <Palmer.Leif@epa.gov>
Sent: Wednesday, October 14, 2020 8:09 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>
Subject: FW: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, October 14, 2020 7:45 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Walker, Mary <walker.mary@epa.gov>
Cc: Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>
Subject: RE: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

My edits and questions are tracked in the attached version.

David Fotouhi

Acting General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Sent: Friday, October 9, 2020 6:37 PM

To: Ross, David P <ross.davidp@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Walker, Mary <walker.mary@epa.gov>

Cc: Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>

Subject: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Deliberative – Do Not Release

Dave, David and Mary,

Included with this email is a draft Programmatic Agreement to address Section 106 of the National Historic Preservation Act as it relates to Florida's submitted request to administer a permit program for CWA Section 404. The FL assumption team has coordinated the current draft with OGC staff and management (Water Law Office and Cross Cutting Issues Law Office), OWOW staff and management (John Goodin), and EPA Region 4 staff and management (Leif Palmer and me). Below is some background on this draft document.

We also plan to go over this document as part of next weeks bi-weekly. At that time, we will review our approach, some of the comments we have already received from the consulting Tribes and hope to discuss next steps and timing with you as well.

I hope that you each have a great weekend and holiday. I look forward to talking with you next week.

Thanks
Jeaneanne

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